

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2013

Legislative Fiscal Note

REVISED

BILL NUMBER: House Bill 585 (Second Edition)

SHORT TITLE: PREA Compliance.

SPONSOR(S): Representative Lewis

FISCAL IMPACT

(\$ in millions)

Yes
 No
 No Estimate Available

	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
State Impact					
General Fund Revenues:					
General Fund Expenditures:					
Special Fund Revenues:					
Special Fund Expenditures:					
State Positions:					
NET STATE IMPACT	Likely budget cost. See Assumptions & Methodology section for additional details.				
Local Impact					
Revenues:					
Expenditures:					
NET LOCAL IMPACT	Likely budget savings. See Assumptions & Methodology section for additional details.				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:					
EFFECTIVE DATE August 1, 2013					
TECHNICAL CONSIDERATIONS:					
None					

BILL SUMMARY:

The bill mandates that all correctional, juvenile, and local confinement facilities in North Carolina comply with the requirements of the Prison Rape Elimination Act (PREA). PREA was enacted by Congress in 2003 to address the problem of sexual abuse of persons in the custody of correctional agencies.

The final PREA rules became effective August 20, 2012. The Governor must certify that the Department of Public Safety (DPS) is in compliance by September 2013, or face a loss of federal funds. The rules require that the first one third of facilities must be audited for compliance by August 2014. If the Governor does not certify full compliance with the PREA standards the State is subject to the loss of five percent of US Department of Justice funds.

There is no cost for DPS because the Department has been compliant with PREA since its inception.

Counties have until 2017 to come into compliance with PREA mandates. The impact on the counties cannot be determined.

ASSUMPTIONS AND METHODOLOGY:

SOURCES OF DATA: NC Department of Public Safety

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: John Poteat

APPROVED BY:
Mark Trogon, Director
Fiscal Research Division

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